

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8220 of 2007(C)

PETITIONER:

MEENA ASHOKAN, CHARANGATTU HOUSE,
KANICHUKULANGARA.P.O., CHERTHALA.

BY ADV. SRI.SUNIL JACOB JOSE

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM.
2. ASSISTANT EXCISE COMMISSIONER,
ALAPPUZHA.
3. THE TAHSILDAR, TALUK OFFICE,
CHERTHALA.

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.8220 OF 2007

Dated this the 13th day of March, 2007

JUDGMENT

Petitioner was a co-licencee of certain abkari shops for the abkari year 1993-94. She had offered the property, in relation to which this writ petition is filed, as a security property towards kist. On default, more than a decade thereafter, now, the property is put to sale. The petitioner's contention is that the property is a very valuable one and that it also includes a dwelling house. She has, accordingly, made Ext.P2 request before the revenue recovery authorities to exclude certain portions of the property from auction. However, I am not impressed to have the sale adjourned in any manner since the interest of the revenue has also to be ensured.

2. Having regard to the requirement of the revenue to generate the outstandings and in the interest of the petitioner which has been voiced in Ext.P2, it is directed that Ext.P1 sale

shall be held as scheduled. However, the competent among the respondents will advert to Ext.P2 and consider whether any arrangements of sale, as sought for in Ext.P2, could be made. Such decision on Ext.P2 shall be taken before the sale. It is made clear that any such decision shall not deter the conduct of sale as scheduled. It is also clarified that this judgment shall not result in further protracting the matter.

The writ petition is disposed of with the above directions.

issue copy today itself.

THOTTATHIL B.RADHAKRISHNAN
Judge

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